IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.49303-M of 2006

DATE OF DECISION: OCTOBER 26, 2006

Baljit Singh and another

...PETITIONERS

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Manpreet Singh, Advocate,
for Mr.Gurminder Singh, Advocate,
for the petitioners.
Mr.N.S.Gill, AAG, Punjab.

...

The petitioners apprehending their arrest in a non-bailable offence in case FIR No. 74 dated 3.10.2005 registered under Sections 307/452/506/148/149 IPC read with Sections 25,27,54 and 59 of the Arms Act, at Police Station Kotli Suran Malhi, Tehsil Batala, District Gurdaspur, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

The interim anticipatory bail order was passed by this Court after hearing the counsel for the parties.

Counsel for the petitioners contends that co-accused of the petitioners, against whom similar allegations have been levelled, has been granted anticipatory bail by this Court and even the police at one point of time had prepared the untraced report. He further contends that in terms of the interim order dated August 31, 2006, the petitioners have joined the investigation. Counsel for the respondent-State does not dispute this fact and further on instructions from ASI Gorakh Nath states that the petitioners are no more required for further investigation.

In view of the above and for the reasons stated in the interim

order dated August 31, 2006, the same is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter, the petitioners shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 26, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE